



PUBLIC NOTICE

Federal Communications Commission
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DA 06-197
Released: January 27, 2006

DOMESTIC SECTION 214 APPLICATION FILED FOR ACQUISITION OF CERTAIN ASSETS OF HORIZON TELECOM, INC., FROM DEBORAH SECREST TO ROBERT SORRENTINO

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 06-7

Comments Due: February 10, 2006
Reply Comments Due: February 17, 2006

On December 30, 2005, Horizon Telecom, Inc. ("Horizon"), Deborah Secrest ("Secrest") and Robert Sorrentino ("Sorrentino") (collectively referred to as "Applicants") filed an application, pursuant to sections 63.03 and 63.04 of the Commission's rules,¹ seeking authority to transfer control of Horizon from Secrest to Sorrentino. Horizon holds authority to provide domestic and international telecommunications services pursuant to section 214 of the Act.²

Applicants assert that this transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(i) of the Commission's rules because the transferee³ will have a market share in the interstate interexchange market of less than 10 percent, the transferee will provide competitive telephone exchange services or exchange access services exclusively in geographic areas served by a dominant local exchange carrier that is not a party to the proposed transaction, and neither of the Applicants is dominant with respect to any service.⁴

¹ 47 C.F.R. §§ 63.03, 63.04; *see* 47 U.S.C. § 214.

² Applicants are also filing applications for transfer of control associated with authorization for international services. Any action on this domestic 214 application is without prejudice to Commission action on other related, pending applications.

³ For purposes of 63.03(b)(1) and (2), the terms "applicant," "carrier," "party," and "transferee" include any affiliates of such entities within the meaning of section 3(1) of the Communications Act of 1934, as amended. 47 C.F.R. § 63.03(b)(3).

⁴ 47 C.F.R. § 63.03(b)(2)(i).

Horizon, a Nevada corporation, is a provider of interstate, international and intrastate interexchange telecommunications services. Horizon is wholly-owned by Secrest, a United States citizen. Sorrentino, the proposed transferee, is also a United States citizen and is currently the sole owner of Dominion Business Group, Inc. which, in turn, is the sole owner of Reduced Rate Long Distance, LLC.⁵ Sorrentino will own 100% of the common stock of Horizon following the proposed transaction.

Pursuant to an Agreement entered into by the Applicants, Sorrentino will purchase all of the issued and outstanding stock of Horizon from Secrest (the "Acquisition"). The Acquisition will therefore result in the change of ownership of Horizon from Secrest to Sorrentino, including control of Horizon's section 214 authorities.

Applicants state that the proposed transaction serves the public interest by causing Horizon to become a stronger competitor in the marketplace for interstate and international telecommunications services. The Applicants assert that the customers of Horizon will benefit from the Sorrentino's resources and assets, which will help ensure continuity of service and enhance the ability of Horizon to offer a broader range of innovative products and services to customers. Finally, the Applicants state that the transaction will serve to enhance the overall capacity of Horizon to compete in the marketplace and to provide telecommunications services for a greater number of consumers at competitive rates.

GENERAL INFORMATION

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer of control application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR §§ 1.415, 1.419, interested parties may file **comments on or before February 10, 2006 and reply comments on or before February 17, 2006.**⁶ Unless otherwise notified by the Commission, Applicants are permitted to transfer the assets and related control on the 31st day after the date of this notice.⁷ Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- **Electronic Filers:** Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal eRulemaking Portal:

⁵ See Supplemental Letter from Benjamin W. Bronston, Nowalsky, Bronston & Gothard to Marlene Dortch, Secretary, Federal Communications Commission, WC Docket No. 06-7 at 1 (filed Jan. 25, 2006).

⁶ See 47 C.F.R. § 63.03(a).

⁷ Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

<http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.

- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.
- Paper Filers: Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington D.C. 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

You may submit comments, identified by the above noted docket number, by any of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Federal Communications Commission's Web Site: <http://www.fcc.gov/cgb/ecfs/>. Follow the instructions for submitting comments.

- People with Disabilities: Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by e-mail: FCC504@fcc.gov or phone: 202-418-0530 or TTY: 202-418-0432.

In addition, one copy of each pleading must be sent to each of the following:

- (1) The Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, www.bcpiweb.com; phone: (202) 488-5300 fax: (202) 488-5563;
- (2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-C212, Washington, D.C. 20554; email: tracey.wilson-parker@fcc.gov;
- (3) , Competition Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-C142, Washington, D.C. 20554; e-mail: kimberly.jackson@fcc.gov;
- (4) Susan O'Connell, Policy Division, International Bureau, 445 12th Street, S.W., Room 7-B544, Washington, D.C. 20554; email: susan.o'connell@fcc.gov; and
- (5) James Bird, Office of General Counsel, 445 12th Street, S.W., Room 8-C824, Washington, D.C. 20554; e-mail: james.bird@fcc.gov.

Filings and comments are also available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone: (202) 488-5300, fax: (202) 488-5563, or via e-mail www.bcpiweb.com.

For further information, please contact Tracey Wilson-Parker at (202) 418-1394, or Kimberly Jackson at (202) 418-7393.

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